

SEVENTY-EIGHTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Byrd of Shelby County.

Representative Byrd led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 83

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--83.

The Speaker announced that Representative Jones was excused because of business.

The Speaker announced that Representative Webb was excused because of a business commitment.

The Speaker announced that Representative King (Shelby) was excused because of business.

The Speaker announced that Representative DeBerry was excused because of business.

The Speaker announced that Representative Stafford was excused because of illness.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 510 and 540, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 1296, 1579, 1633, 1666, 1705, 2074 and 2080; also, Senate Joint Resolutions Nos. 226 and 227; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1422, 1489, 1738, 1783, 1812, 1885, 1892, 1913, 2023, 2114, 2207, 2291, 2292 and 2293; House Resolution No. 145; and House Joint Resolution No. 276; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 1422, 1489, 1738, 1783, 1812, 1885, 1892, 1913, 2023, 2114, 2207, 2291, 2292 and 2293; House Resolution No. 145; House Joint Resolution No. 276; Senate Bills Nos. 1296, 1579, 1633, 1666, 1705, 2074 and 2080; and Senate Joint Resolutions Nos. 226 and 227.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 1422, 1489, 1738, 1783, 1812, 1885, 1892, 1913, 2023, 2114, 2207, 2291, 2292 and 2293; also, House Joint Resolution No. 276; all signed

by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 100, 1120, 1341, 1347, 1349, 1395, 1404, 1475, 1517, 1673, 1694, 1868 and 2098; also, Senate Joint Resolution No. 228; all for signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 100, 1120, 1341, 1347, 1349, 1395, 1404, 1475, 1517, 1673, 1694, 1868 and 2098; and Senate Joint Resolution No. 228.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No.:

1930--To make certain provisions, financial incentives, local correctional facilities; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**CALENDAR**

Mr. Murphy moved that Senate Bill No. 1481 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1775--To grant counties certain authority, alcoholic beverages.

On motion, House Bill No. 1775 was made to conform with Senate Bill No. 1837.

On motion, Senate Bill No. 1837, on same subject, was substituted for House Bill No. 1775.

Mr. Clark (Sumner) moved that Senate Bill No. 1837 be passed on third and final consideration.

Mr. Love moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1837 by deleting from the amendatory language in Section 1 the words and punctuation "possession, transportation or".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1837, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	80
Noes . . . . .	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--80.

Representatives voting no were: Chiles, Cobb, Murray and Nance --4.

A motion to reconsider was tabled.

House Bill No. 1777--To regulate fire protection sprinkler systems.

On motion, House Bill No. 1777 was made to conform with Senate Bill No. 1730.

On motion, Senate Bill No. 1730, on same subject, was substituted for House Bill No. 1777.

Mr. Clark (Sumner) moved that Senate Bill No. 1730 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1730 by adding the following new item to Section 2:

( ) Any person who has been a fire protection sprinkle system contractor for three (3) or more years on the effective

date of this act and who continues to pay applicable taxes imposed by the Business Tax Act and any other state law; and any responsible managing employee of such person if such employee has been in such position three (3) or more years on the effective date of this act.

On motion, the amendment was adopted.

Mr. Wheeler moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 1730 by adding the following new section:

( ) The Fire Marshall for the State of Tennessee shall review and approve or disapprove drawings or plans submitted by a licensed fire sprinkler system contractor on any and all projects coming under the jurisdiction of the Fire Marshall's office.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1730, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	84
Noes . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--84.

Representatives voting no were: Dills and Shirley--2.

A motion to reconsider was tabled.

House Bill No. 1690--To make provisions, forfeiture of certain property.

On motion, House Bill No. 1690 was made to conform with Senate Bill No. 1528.

On motion, Senate Bill No. 1528, on same subject, was substituted for House Bill No. 1690.

Mr. Tanner moved that Senate Bill No. 1528 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	85
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--85.

A motion to reconsider was tabled.

House Bill No. 1900--To make certain provisions, unemployment benefits.

Mr. Ellis moved that House Bill No. 1900 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend House Bill No. 1900 be deleting Section 1 thereof in its entirety and substituting instead:

SECTION 1. Tennessee Code Annotated, 50-7-301 (b), is amended by deleting the last sentence and substituting the following:

"In order to qualify for benefits an individual otherwise entitled to such benefits must have base period wages in a quarter other than the two (2) highest quarters of the base period. Provided however, for those benefit years established on and after the beginning of the weeks following any June 30 or December 31 when the trust fund balance is three-hundred million dollars (\$300,000,000), or more, an individual, otherwise entitled to such benefits, must have base period wages in the two (2) highest quarters of the base period."

On motion, the amendment was adopted.

Thereupon, House Bill No. 1900, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 85  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--85.

A motion to reconsider was tabled.

Mr. Drew moved that House Bill No. 2189 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

House Bill No. 1594--To provide payment for boarding of jurors.

Mr. Work moved that House Bill No. 1594 be passed on third and final consideration.

Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1594 in Section 3 by deleting the date "July 1, 1983" and substituting instead the date "July 1, 1984".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1594, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 79  
Noes . . . . . 9

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--79.

Representatives voting no were: Chiles, Duer, Ford, Harrill, Hassell, Huskey, Moore (Shelby), Napier and Scruggs--9.

A motion to reconsider was tabled.

House Bill No. 2063--To provide for necessary services, certain defendants.

Mr. Brewer moved that House Bill No. 2063 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2063 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

(b) In capital cases where the defendant has been found to be indigent by the court of record having jurisdiction of the case, such court in an ex parte hearing may in its discretion determine that investigative or expert services or other similar services are necessary to ensure that the constitutional rights of the defendant are properly protected. If such determination is made, the court may grant prior authorization for these necessary services in a reasonable amount to be determined by the court. The authorization shall be evidenced by a signed order of the court. The order shall provide for the reimbursement of reasonable and necessary expenses by the executive secretary of the supreme court as authorized by Tennessee Code Annotated Title 40, Chapter 14, Part 2, and rules promulgated thereunder by the supreme court.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2063 as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	87
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--87.



A motion to reconsider was tabled.

House Bill No. 655--To amend Title 8, Chapter 20, Code.

Mr. Bragg moved that House Bill No. 655 be passed on third and final consideration.

Mr. Kernell moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 655 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 8, Chapter 20, is amended by adding the following new section:

Section \_\_\_\_\_. In any county having a civil service system for the sheriff's department pursuant to Tennessee Code Annotated, Title 8, Chapter 8, Part 4, or the provisions of a private act, or a civil service system for all county employees pursuant to the provisions of a private act, the employment or termination of employment of any deputy or assistant in any offices covered by this chapter shall be pursuant to the provisions of such civil service system and the provisions of Tennessee Code Annotated, Section 8-20-109, shall not apply to such county.

On motion, the amendment was adopted.

Thereupon, House Bill No. 655, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	73
Noes . . . . .	10
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McKinney, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--73.

Representatives voting no were: Bewley, Chiles, Harrill, Henry, Hudson, Owen, Percy, Robertson, Scruggs, Wix--10.

Representatives present and not voting were: Miller and Smith  
--2.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE JOINT RESOLUTION NO. 190**

Senate Joint Resolution No. 190--Relative to amendment, Article II, Tennessee Constitution.

Mr. McKinney moved that Senate Joint Resolution No. 190 be passed on first reading.

At the request of the sponsor, Senate Joint Resolution No. 190 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, Senate Joint Resolution No. 190 passed its first reading by the following vote:

Ayes . . . . .	58
Noes . . . . .	28

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Ford, Gaia, Gill, Hassell, Hillis, Hurley, Huskey, Jared, Johnson, Kernell, Kisber, Love, McKinney, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Tanner, Turner (Shelby), Ussery, Wheeler, Wix, Work and Yelton--58.

Representatives voting no were: Anderson, Atchley, Bewley, Clark (Sumner), Duer, Frenslley, Gafford, Harrill, Henry, Hudson, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Moody, Percy, Pickering, Robertson, Scruggs, Smith, Stallings, Wallace, Whitson, Williams, Wolfe and Wood--28.

Senate Joint Resolution No. 190 was placed on the Calendar for tomorrow.

Mr. Brewer moved that House Joint Resolution Nos. 497 and 523 be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

House Bill No. 1730--To create commission on aging.

On motion, House Bill No. 1730 was made to conform with Senate Bill No. 1437.

On motion, Senate Bill No. 1437, on same subject, was substituted for House Bill No. 1730.

Mr. Starnes moved that Senate Bill No. 1437 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	89
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

House Bill No. 1874--To establish restitution programs, certain criminal cases.

On motion, House Bill No. 1874 was made to conform with Senate Bill No. 1575.

On motion, Senate Bill No. 1575, on same subject, was substituted for House Bill No. 1874.

Mr. Moody moved that Senate Bill No. 1575 be passed on third and final consideration.

Mr. Scruggs moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1575 by deleting Section 13 of said bill, being the enacting clause and substitute instead the following language:

Section 13: This act shall become law July 1, 1984, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1575, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	84
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--84.

Representative voting no was: Ellis--1.

A motion to reconsider was tabled.

House Bill No. 2085--To enact Dairy Industry Promotion Act.

On motion, House Bill No. 2085 was made to conform with Senate Bill No. 1728.

On motion, Senate Bill No. 1728, on same subject, was substituted for House Bill No. 2085.

Ms. Robinson (Washington) moved that Senate Bill No. 1728 be passed on third and final consideration.

Ms. Robinson (Washington) moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 1728 by adding a new Section 15 as follows and renumbering present Section 15 and subsequent sections accordingly:

**SECTION 15.** If and when the national program pursuant to the provisions of the Dairy and Tobacco Adjustment Act of 1983 (PL 98-180) establishes a procedure for the return of promotion monies to the producer, at the producers request; then and only then the Tennessee Dairy Promotion committee shall upon written request of any producer, refund from the funds collected from such producer pursuant to this act, the same proportion of monies as the national program. Such refund requests by affidavit of the individual producers shall provide for such refund of monies collected from such producer during the immediate preceding three (3) month period, except producers may request a partial refund. Refund forms shall be provided to producers at the producers request by the committee and producers desiring refunds shall

file refund forms before the end of the month immediately following the three (3) month period for which the refund is being requested. Producers shall establish their right to a refund by providing copies of vouchers or sales receipts from processors or buyers showing contributions withheld from the producer pursuant to this act.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1728, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	81
Noes . . . . .	6
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bewley, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wood and Mr. Speaker McWherter--81.

Representatives voting no were: Bell, Bivens, Elsea, Gafford, Wolfe and Work--6.

Representatives present and not voting were: Cobb and Yelton --2.

A motion to reconsider was tabled.

Mr. Brewer moved that Senate Bill No. 1308 be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

Mr. Kernell moved that House Bill No. 1896 be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

Mr. Murphy moved that House Bill No. 1419 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Love moved that House Bill No. 2229 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 2024--To change name, Municipal Recreation Systems.

On motion, House Bill No. 2024 was made to conform with Senate Bill No. 2086.

On motion, Senate Bill No. 2086, on same subject, was substituted for House Bill No. 2024.

Mr. McAfee moved that Senate Bill No. 2086 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2086 by inserting the following immediately preceding the effective date section and by renumbering subsequent sections accordingly:

Section \_\_\_\_\_. Provided, however, the provisions of this Act shall not apply to counties having a metropolitan form of government.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2086, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	86
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--86.

A motion to reconsider was tabled.

Mr. Murphy moved that House Bill No. 440 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

House Bill No. 1847--To amend Section 68-1-104, Code.

On motion, House Bill No. 1847 was made to conform with Senate Bill No. 1965.

On motion, Senate Bill No. 1965, on same subject, was substituted for House Bill No. 1847.

Mr. Robertson moved that Senate Bill No. 1965 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 477

House Joint Resolution No. 477--Relative to amending Article II, Section 28, State Constitution.

Mr. Bragg moved that House Joint Resolution No. 477 be passed on third reading.

At the request of the sponsor, House Joint Resoution No. 477 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 477 passed its third reading by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy,

Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 292**

House Joint Resolution No. 292--Relative to amending Constitution, age of senators.

Mr. Hudson moved that House Joint Resolution No. 292 be passed on third reading.

At the request of the sponsor, House Joint Resolution No. 292 was read by the Clerk.

Mr. Hudson moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Joint Resolution No. 292 by deleting the second resolving clause in its entirety and substituting instead the following:

BE IT FURTHER RESOLVED, that a majority of all members of each house concurring as shown by the yeas and nays entered on their journals, the foregoing amendment be referred to the Ninety-fourth General Assembly and that this resolution be published by the Secretary of State in accordance with Article XI, Section 3 of the Constitution of Tennessee.

On motion, the amendment was adopted.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 292, as amended, passed its third reading by the following vote:

Ayes . . . . .	67
Noes . . . . .	21

Representatives voting aye were: Anderson, Bell, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Gaia, Gill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, Kisber, Love, McAfee, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Napier, Owen, Percy, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wheeler, Williams, Work, Yelton and Mr. Speaker McWherter--67.



Representatives voting no were: Atchley, Bewley, Chiles, Copeland, Frensley, Gafford, Kelley, King (Washington), Montgomery, Moody, Murray, Nance, Phillips, Pickering, Scruggs, Smith, Wallace, Whitson, Wix, Wolfe and Wood--21.

A motion to reconsider was tabled.

Mr. Davis (Gibson) moved that House Bill No. 2294 be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

House Bill No. 1817--To make certain provisions, local correctional facilities.

On motion, House Bill No. 1817 was made to conform with Senate Bill No. 1930.

On motion, Senate Bill No. 1930, on same subject, was substituted for House Bill No. 1817.

Mr. Miller moved that Senate Bill No. 1930 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 1930 by deleting in its entirety all the language following the enacting clause, and/by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 41-8-103, is amended by deleting subsection 5 and subsection 10 in their entirety and by renumbering the remaining subsections. Tennessee Code Annotated, Section 41-8-103, is further amended by adding the following new subsections:

( ) A "detainee day" refers to each day each state prisoner was held by a county prior to judgement, which shall include acquittal, or prior to delivery to the department of correction during a designated contract period.

( ) A "prisoner day" refers to each day each state prisoner was held by a county pursuant to Section 40-23-104 or 40-35-311 during a designated contract period.

( ) "Certified" refers to whether any jail, workhouse, or penal farm facility has been found to have met the minimum standards for local correctional facilities as provided for in Section 41-4-140. Such determination as to whether any facility has met these minimum standards shall be made by the director of the jail inspection division of the Tennessee Corrections Institute and certified to the county executive or other chief executive officer of the county and to the state judicial cost accountant.

Section 2. Tennessee Code Annotated, Section 41-8-104(c), is amended by deleting the first sentence in its entirety and by substituting the following:

The commissioner shall enter into contracts with those counties approved for participation in this program on an annual basis.

Section 3. Tennessee Code Annotated, Section 41-8-106, is amended by deleting subsections (1) and (2) in their entirety and substituting the following:

(1) The subsidies paid to counties pursuant to this chapter shall be the only compensation from the state to which counties are entitled for housing state prisoners and shall be in lieu of the fees allowed in Section 8-26-106 or any other section.

(2) Within one hundred twenty (120) days following the end of a month in which prisoners were held by a county pursuant to Section 40-23-104 or 40-35-311 or detainees were held by a county pursuant to indictment, the county shall submit to the judicial cost accountant a claim for the subsidy provided in this chapter. Upon certification by the judicial cost accountant of the validity of the claim, the county shall be paid the subsidy according to the following provisions:

(a) For each detainee day within the contractually established reporting period, the sum of ten dollars (\$10.00), where the facility is certified or provisionally certified; or six dollars (\$6.00), where the facility is not certified;

(b) for each prisoner day within the contractually established reporting period, the sum of fifteen dollars (\$15.00), where the facility is certified or provisionally certified; or twelve dollars (\$12.00), where the facility is not certified.

Section 4. Tennessee Code Annotated, Section 41-8-107, is amended by deleting subsection (c) in its entirety and by substituting the following:

(c) If the facility has been inspected and certified pursuant to the most recently established state jail standards, the entire subsidy may be used for current operating expenses. In all other situations, seventy five percent (75%) of the subsidy shall be used for improving correctional programs or facilities.

Section 5. Section 41-8-107(a) is amended by deleting from the second sentence the following words, "in excess of those funds currently being expended".

Section 6. Tennessee Code Annotated, Section 41-4-139(a) is amended by deleting the following, "daily jailers fees for such county as fixed by provisions of Section 8-26-105", and by substituting instead the following, "the subsidy for such county as fixed by provisions of Sections 41-8-101, et seq, and the contracts entered into pursuant thereto."

Section 7. Tennessee Code Annotated, Section 8-26-105, is amended by deleting the section in its entirety and by substituting the following:

- (a) The county legislative body or governing body of each county in the state shall have the authority to pass a resolution fixing the amount of jailers fees which may be applied to misdemeanor prisoners. The rate fixed shall apply to such prisoners confined in the county jail, but not meeting the conditions required for a state subsidy under Section 41-8-101, et seq.
- (b) In lieu of the reimbursement for jailers fees allowed in Section 8-26-106, the state shall provide a subsidy pursuant to Section 41-8-101, et seq.
- (c) References in other sections to jailers fees for state prisoners specified in this section shall be deemed to be references to the subsidies specified in Section 41-8-106(2)(b).

Section 8. For the purpose of promulgating regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For the purpose of paying the higher subsidy amounts specified in this act, this act shall take effect on July 1, 1984, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1930, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith,

Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby),  
Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe,  
Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

House Bill No. 2195--To prohibit drug paraphernalia.

On motion, House Bill No. 2195 was made to conform with Senate  
Bill No. 18.

On motion, Senate Bill No. 18, on same subject, was substituted  
for House Bill No. 2195.

Mr. Crain moved that Senate Bill No. 18 be passed on third and  
final consideration.

Mr. Crain moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 18 by deleting the final section and  
substituting instead the following:

Section \_\_\_\_\_. This act shall take effect on July 1, 1984,  
the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 18 by inserting in between the words  
"legitimate" and "uses" in subsection (g) of Section 2 the following  
language: "or historical"

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 18 by deleting the period (.) after the  
numerals 52-1409, and substituting the following punctuation and  
language: ,provided however, any seizure prior to conviction shall be  
of no more than one representative sample of a class of items alleged  
to be drug paraphernalia.

On motion, the amendment was adopted.

Mr. Crain moved to amend as follows:

**AMENDMENT NO. 4**

Amend Senate Bill No. 18 by deleting the "It" from the beginning of subsection (a) of Section 3 and substituting instead the following:

Except when used or possessed with the intent to use by a person authorized by Tennessee Code Annotated, Sections 39-6-401 - 39-6-419, 53-11-301 - 53-11-308 and 53-11-401 - 53-11-414, to dispense, prescribe, manufacture or possess a controlled substance, it

FURTHER AMEND by deleting the word "It" from subsection (b) of Section 3 and substituting instead the following:

Except when delivered, possessed with the intent to deliver or manufactured with the intent to deliver by a person authorized by Tennessee Code Annotated, Sections 39-6-401 - 39-6-419, 53-11-301 - 53-11-308 and 53-11-401 - 53-11-414, to dispense, prescribe, manufacture or possess a controlled substance, it

FURTHER AMEND by deleting the word "Any" from the beginning of subsection (c) of Section 3 and substituting instead the following:

Except when delivered by a person authorized by Tennessee Code Annotated, Sections 39-6-401 - 39-6-419, 53-11-301 - 53-11-308 and 53-11-401 - 53-11-414, to dispense, prescribe, manufacture or possess a controlled substance, any

On motion, the amendment was adopted.

Mr. King (Washington) moved to amend as follows:

**AMENDMENT NO. 5**

Amend Senate Bill No. 18 by adding the following after the last section of the bill.

This act shall not apply to any pipe that may be used for tobacco products.

On motion, the amendment was adopted.

Mr. King (Washington) moved to amend as follows:

**AMENDMENT NO. 6**

Amend Senate Bill No. 18 by adding the following after the last section:

no device, including paper product or other material which may be used for tobacco smoking is covered by this act.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 18, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 79  
Noes . . . . . 7

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Naifeh, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--79.

Representatives voting no were: Cobb, Ellis, Nance, Phillips, Robinson (Davidson), Williams, Withers--7.

A motion to reconsider was tabled.

Mr. Wolfe moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 560 out of order, which motion prevailed.

House Joint Resolution No. 560--Relative to congratulating Mr. and Mrs. Nelson Mills--By Wolfe and Stallings.

Mr. Wolfe moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 560, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Miller moved that House Bill No. 1824 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

House Bill No. 2093--To create board of certification, professional counselors.

Mr. Murphy moved that House Bill No. 2093 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 2093 by inserting in the second line of subsection (a), Section 2 between the words "counselors," and "marital" the word "and".

AND FURTHER AMEND in the first line of Section 3, subsection (2) between the words "certification" and "applicants" the word "of".

AND FURTHER AMEND by renumbering Section 13 as Section 14.

AND FURTHER AMEND by adding a new Section 13 to read as follows:

**SECTION 13.**

(a) There is hereby created the advisory council to the board of certification for professional counselors and marital and family therapists. The council shall consist of seven (7) members who may be appointed by the governor. The Tennessee Association for Counseling and Development and the Tennessee Association for Marriage and Family Therapy each may provide the governor with a list of six (6) candidates. The governor may appoint three (3) members from each list. The seventh member may be a citizen at large appointed by the governor. All council members shall be resident citizens of Tennessee. The initial appointees who are eligible for certification shall be deemed certified immediately upon appointment as council members. Future council candidates shall be certified prior to nomination except for the seventh member who shall be a citizen at large.

(b) Each member of the council shall serve for four (4) years, except initially the governor may appoint three (3) members with terms expiring at a rate of one (1) per year for the first three (3) years after July 1, 1985. With the exception of the citizen at large member, a council member who vacates his/her seat may be replaced by a person from a list provided by the association which provided the list from which the resigning member was chosen. With the exception of the citizen at large member, at least three (3) months before expiration of any council member's term, the Tennessee Association for Counseling and Development and the Tennessee Association for Marriage and Family Therapy may submit to the governor a list of persons eligible for appointment, in number not less than twice the number of appointments to be made. A vacancy of the citizen at large council position may be replaced by a person appointed by the governor. Members whose terms of office have expired shall continue to serve until their replacements are named.

On motion, the amendment was adopted.

Mr. Gill moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 2093 by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

**SECTION \_\_\_\_.** The provisions of this act shall not apply to any person who was engaged in the practice of marital or family therapy or professional counseling on July 1, 1979 and who had been actively engaged in such profession for five (5) years prior to the effective date of this act, if such person pays the licensure fee imposed by this act.

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 2093 in Section 5, subdivision (3) by deleting the words "based upon a program of studies in counseling, and possesses a master's degree judged to be acceptable by the board" and substituting instead the words "based upon a program of studies with a major in counseling, an including a supervised practicum in counseling".

**AND FURTHER AMEND** in Section 8(a) by deleting the words "based upon a program of studies in counseling and possesses a master's degree judged to be acceptable by the board or an equivalent degree judged to be acceptable by the board" and substituting instead the words "based upon a program of studies with a major in counseling, and including a supervised practicum in counseling".

**AND FURTHER AMEND** in Section 7 by deleting subdivision (3) and substituting instead the following:

(3) Has met standards comparable to American Association of Marriage and Family Therapists national standards.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2093, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	84
Noes . . . . .	6

Representatives voting aye were: Anderson, Atchley, Bell, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Disspayne, Drew, Duer, Ellis, Ford,



Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work and Yelton--84.

Representatives voting no were: Bewley, Dills, Elsea, McAfee, Moody and Wolfe--6.

A motion to reconsider was tabled.

House Bill No. 2216--To amend Title 62, Chapter 19, Code.

On motion, House Bill No. 2216 was made to conform with Senate Bill No. 2135.

On motion, Senate Bill No. 2135, on same subject, was substituted for House Bill No. 2216.

Mr. Clark (Sumner) moved that Senate Bill No. 2135 be re-referred to the Committee on State and Local Government, which motion prevailed.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 2087--To change certain requirements precedent to marriage.

Mr. Davis (Pickett) moved that House Bill No. 2087 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend House Bill No. 2087 by adding the following new section following Section 1 and by renumbering the subsequent sections accordingly:

**SECTION 2.** The provisions of this act shall apply only to counties having a population of not less than seven thousand six hundred and fifty (7,650), nor more than seven thousand seven hundred (7,700), according to the 1980 Federal census of population or any subsequent Federal census.

On motion, the amendment was adopted.

Mr. Clark (Sumner) moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 2087 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall also apply in counties having a population of not less than 85,725 nor more than 85,825 according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Davis (Pickett) moved that House Bill No. 2087 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

**CONSENT CALENDAR**

**OBJECTIONS**

Objections were filed to the following bills and resolutions on the Consent Calendar:

Mr. Shirley objected to House Joint Resolution No. 401 and House Resolution No. 98.

Mr. Robertson objected to House Joint Resolution No. 527, and House Bills Nos. 1657 and 1964.

Under the rules, House Resolution No. 98, House Joint Resolutions Nos. 401 and 527, and House Bills Nos. 1657 and 1964 were placed at the foot of the Calendar for Tuesday, May 22, 1984.

House Joint Resolution No. 273--Relative to study, funding police pay supplement.

House Joint Resolution No. 286--Relative to continuing Reelfoot Task Force.

House Joint Resolution No. 305--Relative to study, health care for elderly.

House Joint Resolution No. 317--Relative to continuing study committee, Mental Health.

House Joint Resolution No. 336--Relative to study, need for changes in Uniform Administration Procedures Act.

House Joint Resolution No. 430--Relative to study, Uniform Commercial Code.

House Joint Resolution No. 435--Relative to noninstructional tasks, public schools.

House Joint Resolution No. 469--Relative to the study of the Workers Compensation Laws.

House Joint Resolution No. 503--Relative to study, General Assembly.

House Resolution No. 138--Relative to study, interstate banking.

House Bill No. 2142--To distribute legislative records to depository libraries.

On motion, House Bill No. 2142 was made to conform with Senate Bill No. 2116.

On motion, Senate Bill No. 2116, on same subject, was substituted for House Bill No. 2142.

House Bill No. 2130--To make certain provisions, judicial and legislative records.

On motion, House Bill No. 2130 was made to conform with Senate Bill No. 1800.

On motion, Senate Bill No. 1800, on same subject, was substituted for House Bill No. 2130.

House Bill No. 2290--To make certain provisions, county government.

On motion, House Bill No. 2290 was made to conform with Senate Bill No. 2252.

On motion, Senate Bill No. 2252, on same subject, was substituted for House Bill No. 2290.

House Bill No. 1352--To regulate trapping, Clay County.

On motion, House Bill No. 1352 was made to conform with Senate Bill No. 1253.

On motion, Senate Bill No. 1253, on same subject, was substituted for House Bill No. 1352.

House Bill No. 598--To provide trial by jury, certain misdemeanor cases.

On motion, House Bill No. 598 was made to conform with Senate Bill No. 295.

On motion, Senate Bill No. 295, on same subject, was substituted for House Bill No. 598.

House Bill No. 2271--To define duties of constables certain counties.

On motion, House Bill No. 2271 was made to conform with Senate Bill No. 2236.

On motion, Senate Bill No. 2236, on same subject, was substituted for House Bill No. 2271.

House Joint Resolution No. 480--Relative to memorializing Congress, enforcement of federal antitrust laws.

House Bill No. 1382--To re-define an especially aggravated criminal offense.

On motion, House Bill No. 1382 was made to conform with Senate Bill No. 1424.

On motion, Senate Bill No. 1424, on same subject, was substituted for House Bill No. 1382.

House Bill No. 2265--To make certain provisions, civil suits.

On motion, House Bill No. 2265 was made to conform with Senate Bill No. 2231.

On motion, Senate Bill No. 2231, on same subject, was substituted for House Bill No. 2265.

House Bill No. 2205--To make provisions, sewage treatment works.

On motion, House Bill No. 2205 was made to conform with Senate Bill No. 2176.

On motion, Senate Bill No. 2176, on same subject, was substituted for House Bill No. 2205.

Senate Joint Resolution No. 122--Relative to naming center "Julian R. Fleming Training Center".

House Joint Resolution No. 355--Relative to study, certain health occupations.

House Joint Resolution No. 531--Relative to study, Health Facilities Commission.

House Joint Resolution No. 515--Relative to study, commodity check-off programs.

House Resolution No. 142--Relative to study, emergency jobs program.

House Bill No. 1637--To set time for filing for new trial.

House Resolution No. 13--Relative to investigation, certain flooding conditions.

House Joint Resolution No. 454--Relative to study, renovation center, department of corrections.

House Bill No. 1537--To prohibit shooting of coyotes from public highways.

On motion, House Bill No. 1537 was made to conform with Senate Bill No. 1995.

On motion, Senate Bill No. 1995, on same subject, was substituted for House Bill No. 1537.

House Joint Resolution No. 472--Relative to creating a study, method of confirming nominees of public positions.

House Joint Resolution No. 542--Relative to honoring American Legion Post 202, Gatlinburg.

House Joint Resolution No. 543--Relative to honoring Carolyn Peck.

House Joint Resolution No. 544--Relative to honoring Carolyn Peck.

House Bill No. 2297--To regulate Board of Utility Commissioners, Jackson.

Senate Bill No. 1764--To amend Interlocal Cooperation Act.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

**RESOLUTIONS LYING OVER**

Senate Joint Resolution No. 142--Relative to approving amendments, Rules of Civil Procedure.

The Speaker announced that Senate Joint Resolution No. 142 will be held on the desk.

Senate Joint Resolution No. 188--Relative to amendment, Article II, Tennessee Constitution.

The Speaker referred Senate Joint Resolution No. 188 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 205--Relative to approving Rules of Juvenile Procedure.

The Speaker announced that Senate Joint Resolution No. 205 will be held on the desk.

Senate Joint Resolution No. 229--Relative to memory, Dr. Eddie Tyron Goins.

Under the rules, Senate Joint Resolution No. 229 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 230--Relative to memory, Representative W.C. Herndon, Jr.

Under the rules, Senate Joint Resolutions No. 230 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 231--Relative to commending Steve Maury.

Under the rules, Senate Joint Resolution No. 231 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 232--Relative to memory, James Rod "Uncle Jim" Cates.

Under the rules, Senate Joint Resolution No. 232 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 233--Relative to memory, Cora S. Johnson.

Under the rules, Senate Joint Resolution No. 233 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 234--Relative to honoring Theodore R. McLemore.

Under the rules, Senate Joint Resolution No. 234 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 235--Relative to commending Reverend William A. Suggs.

Under the rules, Senate Joint Resolution No. 235 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 237--Relative to commending David Miller.

Under the rules, Senate Joint Resolution No. 237 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 238--Relative to congratulating Nissan Motor Manufacturing Corporation, U.S.A..

Under the rules, Senate Joint Resolution No. 238 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 239--Relative to congratulating Holder Kennedy and Company, Inc..

Under the rules, Senate Joint Resolution No. 239 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 240--Relative to designating Bristol, "Birthplace of Country Music".

Under the rules, Senate Joint Resolution No. 240 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 241--Relative to commending Thomas I. Willard.

Under the rules, Senate Joint Resolution No. 241 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 242--Relative to honoring Darlene M. Willard.

Under the rules, Senate Joint Resolution No. 242 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 243--Relative to honoring Walter P. Armstrong, Jr.

Under the rules, Senate Resolution No. 243 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 244--Relative to certain funding, U.S. Forest Service Silvicultural Lab.

The Speaker referred Senate Joint Resolution No. 244 to the Committee on Calendar and Rules.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1815--To make certain provisions, dams and impounded water.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1815 by deleting from Section 6 (b) the word "fund" wherever it appears and by substituting instead the word "account".

Mr. Smith moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	89
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1858--To reduce time, retention of certain motor vehicle records.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1858 by substituting for the language in the second sentence in the amendatory language of Section 3, the following;

Certificates of registration and registration plates issued under such sections shall expire at midnight on the last day of February of each year except as otherwise provided in Section 55-4-113 and Section 55-4-121(b).



Ms. Montgomery moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Dispayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

#### **HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1877--To make certain provisions, bingo games.

#### **SENATE AMENDMENT NO. 1**

Amend House Bill No. 1877 by deleting from Section 2 the words "upon becoming law" and by substituting therefore the words "on August 1, 1984".

#### **SENATE AMENDMENT NO. 2**

Amend House Bill No. 1877 by deleting Section 2 in its entirety and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 39-6-609 is further amended by deleting the words and punctuation marks ",raffle, or similar game of chance" from wherever it appears in the first sentence of subsection (a) (1), and from the first sentence of subsection (c).

SECTION 3. Tennessee Code Annotated, Section 39-6-609 is further amended by deleting subpart (a) (3) in its entirety and by renumbering the remaining subpart accordingly.

SECTION 4. Tennessee Code Annotated, Section 39-6-609, if further amended by deleting the words "or raffle" wherever they appear in subsection (b) (2).

SECTION 5. Tennessee Code Annotated, Section 39-6-609 is further amended by deleting the words "and raffles" from the first sentence of subparts (b) (2) and (b) (8).

SECTION 6. Tennessee Code Annotated, Section 39-6-609 is further amended by deleting the punctuation marks and words ", raffle or similar games of chance" from subpart (d) (1) and (d) (1) (B).

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 1877 By adding, immediately preceding the effective date Section, the following new Section:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 39-6-609, is further amended by adding at the end of subsection (b) (2) the following additional language:

Provided further, that any bingo game authorized hereunder shall be located and conducted in a single specific building, wherein all of the players and those conducting the game are physically located, it being recognized that bingo is an event involving immediate and constant interaction among the participants; and that if this location requirement is not met, the game will not be considered to be bingo.

**SENATE AMENDMENT NO. 4**

Amend House Bill No. 1877 by adding, immediately preceding the effective date Section, the following new Section:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 39-6-609, is further amended by adding the following new subsection at the end thereof.

(e) In addition, this part shall not apply to raffles or similar games of chance conducted by organizations described in paragraph (a) hereof which meet all of the requirements set forth in this section. All licensing, reporting, and other requirements and all exemptions as set forth herein with respect to the conduct of bingo games shall apply to the conduct of such raffles or similar games of chance.

Mr. Turner (Shelby) moved that the House concur in Senate Amendments Nos. 1, 2, 3 and 4, which motion prevailed by the following vote:

Ayes . . . . .	77
Noes . . . . .	9

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--77.

Representatives voting no were: Byrd, Chiles, Cobb, Dills, Harrill, Henry, McAfee, Moody and Nance--9.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1990**

Senate Bill No. 1990--To provide certain tax payments, coin-operated amusement devices.

Mr. Miller moved that the motion to reconsider Senate Bill No. 1990 be lifted from the table, which motion prevailed.

Mr. Miller moved that the House reconsider its action in passing Senate Bill No. 1990 on third and final consideration, as amended, which motion prevailed.

Mr. Miller moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Miller moved that Amendment No. 1 be withdrawn, which motion prevailed.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 1990 by adding a new paragraph at the end of the amendatory language of Section 1, as follows:

If, however, the commissioner determines from information submitted to him the taxable privilege was first exercised during the period March 1, 1984 through June 30, 1984, the tax rate shall be ten dollars (\$10) a month or fraction thereof during that period. After June 30, 1984, the tax rate shall be as otherwise provided by law.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1990, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 2140--To make certain provisions, property taxes.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 2140 by deleting in its entirety the fourth line of Section 1 and substituting in lieu thereof the following:

"67-5-203, 67-5-204, 67-5-206, 67-5-207, 67-5-208, 67-5-211, 67-5-212, 67-5-213, 67-5-214, 67-5-218, and 67-5-219".

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 2140 by adding the following as a new Section 2 and by renumbering subsequent sections:

Section 2. Tennessee Code Annotated, Section 67-5-201(a)(1) is further amended by adding the following sentence:

A tax lien shall attach on the date of the transfer as otherwise provided by law, but the non-exempt grantee shall remain personally liable for taxes resulting from such transfer of property regardless of any subsequent transfer that may occur during that tax year.

Mr. Chiles moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 2170--To amend Public Building Authorities Act.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 2170 by deleting Section 3 in its entirety and substituting in lieu thereof the following:

SECTION 3. Tennessee Code Annotated, Section 12-10-103(9) is amended by deleting the definition of "Project" in its entirety and substituting in lieu thereof the following:

'Project' means any undertaking which is eligible to be financed by bonds, notes, interim certificates or other obligations issued pursuant to law by any municipal corporation, the State of Tennessee or any agency, authority, branch, bureau, commission, corporation, department or instrumentality thereof, but if and only to the extent that they or any one or more of them is participating as a contracting party or party to a lease under the provisions of this chapter or any other provision of law; provided, however, any project undertaken on behalf of the State of Tennessee or any agency, authority, branch, bureau, commission, corporation, department or instrumentality thereof, shall be subject to the approval of the state building commission and the financing arrangements for such project shall be subject to the approval of the State Funding Board.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 2170 by adding a new section to be appropriately numbered as follows:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 12-10-109, is amended by adding a new subsection, to be appropriately numbered, as follows:

( ) Except as otherwise approved by the comptroller of the treasury, any authority created pursuant to this chapter shall have the power and shall cause to be made an annual audit of the accounts and records of the authority. The audit shall include all funds of the authority whether held by the authority or pursuant to trust indentures. The comptroller of the treasury through the department of audit shall be responsible for insuring that said audits are prepared in accordance with generally accepted governmental auditing standards and determining if said audits meet minimum audit standards which shall be prescribed by the comptroller. No audit may be accepted as meeting the requirements of this subsection until such audit has been approved by the comptroller. Said audits may be prepared by certified public accountants, public accountants or by the department of audit. In the event the authority shall fail or refuse to have said audit prepared, then the comptroller may appoint a certified public accountant or public accountant or direct the department of audit to prepare said audit; the cost of such audit to be paid by the authority. All such audits shall be completed as soon as practicable after the end of the authority's fiscal year. One (1) copy of the audit shall be furnished to each member of the board of directors, the chief executive officer of the municipality with respect to which the authority has organized, and the comptroller of the treasury. Copies of each audit shall also made available to the press.

Mr. Scruggs moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes . . . . .	89
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representative voting no was: Shirley--1.

A motion to reconsider was tabled.

Mr. Rhinehart moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 561 out of order, which motion prevailed.

House Joint Resolution No. 561--Relative to honoring Major Jesse Roberts--By Work, Hillis, McKinney, Davidson, Pickering, Naifeh, Robinson (Davidson), Murphy, Johnson, Miller, Ellis, Bragg, Gill, Rhinehart, Murray, Starnes and Mr. Speaker McWherter.

Mr. Rhinehart moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 561, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. McNally moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 564 out of order, which motion prevailed.

House Joint Resolution No. 564--Relative to honoring the Anderson County Neighborhood Watch Program--By McNally and Wheeler.

Mr. McNally moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 564, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Resolution No. 149 out of order, which motion prevailed.

House Resolution No. 149--Relative to congratulating Jeffrey Lobertini--By Wheeler, Severance and Robertson.

Mr. Wheeler moved that the rules be suspended for the immediate consideration of House Resolution No. 149, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Resolution No. 147 out of order, which motion prevailed.

House Resolution No. 147--Relative to congratulating the House Intern Softball Team--By Mr. Speaker McWherter, Naifeh, McKinney, Davidson, Pickering, Work, Robinson (Davidson), Johnson, Miller, Murphy, Ellis, Rhinehart, Owen, Bragg, Wheeler, Starnes, Love, Gill, and Tanner.

Mr. Naifeh moved that the rules be suspended for the immediate consideration of House Resolution No. 147, which motion prevailed.

Mr. Naifeh moved that House Resolution No. 147 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Dills moved that the rules be suspended for the purpose of introducing House Resolution No. 148 out of order, which motion prevailed.

House Resolution No. 148--Relative to study, long term funding, Wildlife Resources Agency--By Dills, Stallings, Moore (Shelby), Miller, Johnson, Hillis, Wolfe and Gill.

Mr. Dills moved that the rules be suspended for immediate consideration of House Resolution No. 148, which motion failed by the following vote:

Ayes . . . . .	62
Noes . . . . .	9
Present and not voting . . . . .	4

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Buck, Byrd, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Elsea, Ford, Gafford, Gaia, Harrill, Hassell, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Kisber, McAfee, McNally, Miller, Montgomery,



Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--62.

Representatives voting no were: Bragg, Disspayne, Duer, Fensley, Gill, Henry, Murphy, Robinson (Hamilton) and Williams--9.

Representatives present and not voting: Hudson, Kernell, McKinney and Rhinehart--4.

Mr. Buck moved that the rules be suspended for the purpose of introducing House Bill No. 2304 out of order, which motion prevailed.

House Bill No. 2304--To amend charter, Alexandria--By Buck.

Mr. Buck moved that House Bill No. 2304 be passed on first consideration, which motion prevailed.

Mr. Crain moved that the rules be suspended for the purpose of introducing House Bill No. 2308 out of order, which motion prevailed.

House Bill No. 2308--To amend road law, Haywood County --By Crain.

Mr. Crain moved that House Bill No. 2308 be passed on first consideration, which motion prevailed.

On motion, Senate Joint Resolution No. 244 was recalled from the Committee on Calendar and Rules.

Mr. Murray moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 244 out of order, which motion prevailed.

Senate Joint Resolution No. 244--Relative to certain funding, U.S. Forest Service Silvicultural Lab.

Mr. Murray moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 244, which motion prevailed.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Henry moved that the rules be suspended for the purpose of introducing House Bill No. 2305 out of order, which motion prevailed.

House Bill No. 2305--To define purchasing duties, County Judge, Roane County--By Duer, Henry and McNally.

Mr. Henry moved that House Bill No. 2305 be passed on first consideration, which motion prevailed.

Mr. Davis (Gibson) moved that the rules be suspended for the immediate consideration of House Bills Nos. 2274 and 2275, which motion prevailed.

House Bill No. 2275--To change tax rate, Bradford Special School District.

On motion, House Bill No. 2275 was made to conform with Senate Bill No. 2242.

On motion, Senate Bill No. 2242 on same subject, was substituted for House Bill No. 2275.

Mr. Davis (Gibson) moved that Senate Bill No. 2242 be passed on third and final consideration.

Mr. Davis (Gibson) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2242 in Section 2 by deleting the second sentence thereof and substituting instead the following:

The Gibson County election commission shall call an election for this purpose at the request of the board of the Bradford Special School District, and at a time agreed upon by the board and the commission. The ballots used in such election shall have printed on them the substance of this act, and the voters shall vote for or against this act becoming operational.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2242, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	87
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Wheeler,

Whitson, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

A motion to reconsider was tabled.

House Bill No. 2274--To change tax rate, Gibson County School District.

On motion, House Bill No. 2274 was made to conform with Senate Bill No. 2243.

On motion, Senate Bill No. 2243, on same subject, was substituted for House Bill No. 2274.

Mr. Davis (Gibson) moved that Senate Bill No. 2243 be passed on third and final consideration.

Mr. Davis (Gibson) moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 2243 in Section 3 by deleting the second sentence thereof and substituting instead the following:

The Gibson County election commission shall call an election for this purpose at the request of the board of the Gibson County Special School District, and at a time agreed upon by the board and the commission. The ballots used in such election shall have printed on them the substance of this act, and the voters shall vote for or against this act becoming operational.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2243, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	88
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

Mr. Kisber moved that the rules be suspended for the immediate consideration of House Bill No. 2302, which motion prevailed.

Mr. Kisber moved that House Bill No. 2302 be passed on second consideration, which motion prevailed.

Mr. Kisber moved that the rules be suspended in order to hold House Bill No. 2302 on the Clerk's desk, which motion prevailed.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolutions Nos.:

201--Relative to directional signs, National Guard Armory;

218--Relative to acknowledging support, proposed Area Health Education Center program;

245--Relative to commending Don Daugherty;

246--Relative to commending Arthur Robinson and A.O.Z. Productions;

248--Relative to recognizing certain outstanding civic leaders in Nashville;

253--Relative to commending William C. Koch, Jr.; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

Mr. Love moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 248 out of order, which motion prevailed.

Senate Joint Resolution No. 248--Relative to recognizing certain outstanding civic leaders, Nashville.

Mr. Love moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 248, which motion prevailed.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

4--To regulate age, possession of alcoholic beverages.

The Senate concurred in House Amendments Nos. 1, 2, 4, 7, 8, 9 and 19, and nonconcurred in House Amendments Nos. 6, 10 and 15.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2171--To regulate issuance, special license plates.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 3, 4, 6 and 8.

The Speaker appointed a Conference Committee composed of Senators Cohen, Kyle and Burleson to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2171.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Gafford moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 2171, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed Representatives Gafford, Wix and Clark (Sumner) as the Conference Committee on Senate Bill No. 2171.

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 655, 1594, 1900, and 2063; and House Joint Resolutions Nos. 292, 477 and 560; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 250--Relative to honoring Dan Cooper; adopted for

concurrence.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

2059--To regulate relocation of certain utilities;

2079--To provided for furnishing of certain records as evidence;

2200--To designate Two Rivers parkway as a scenic highway;

2201--To regulate solicitation of charitable funds; all substituted for Senate Bills on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.:

282--Relative to naming bridge over Spring Creek, Highway 99;

293--Relative to designating Franklin By-Pass as "Mack Hatcher Memorial Parkway";

294--Relative to expediting proposed widening of Hillsboro Road;

319--Relative to naming the "Bill Carter Causeway";

418--Relative to requesting ICC to continue certain railroad;

512--Relative to study, availability of health care services General Assembly;

516--Relative to commending Sue Parsley and Juanita Shults;

517--Relative to honoring Barry McWilliams;

518--Relative to commending Representative Nathan F. Ford;

519--Relative to commending Representative James C. Hudson, III;

520--Relative to commending Legislative Services, Administration, and Fiscal Review;

521--Relative to commending Representative Nathan F. Ford;

522--Relative to honoring Missy Clair Burrough;

524--Relative to honoring John B. Waters;

525--Relative to honoring Mr. and Mrs. Robert Dills, Golden Anniversary;

526--Relative to congratulating Mayor Tom Hall, Millington;

529--Relative to commending Chloe Reid;

530--Relative to recognizing Dr. L. C. Bryan;

533--Relative to commending Anthony Michael King;

534--Relative to commending Telisha Kay Hickman;

535--Relative to memory, Patricia Ann Boys;

536--Relative to commending certain legislative employees;

539--Relative to naming building at Ft. Pillow State Park in memory of Frank Garner;

541--Relative to congratulating Representative and Mrs. John Chiles, 25th anniversary;

545--Relative to honoring Reverend William A Suggs;

546--Relative to commending Mrs. Cora Barley Harris; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### **REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1422, 1489, 1738, 1783, 1812, 1885, 1892 1913, 2023, 2114, 2207, 2291, 2292 and 2293 House Joint Resolution No. 276; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

#### **MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

1977--To redistrict State Trial Court System; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Murphy moved that the rules be suspended for the immediate consideration of House Bill No. 1977, which motion prevailed.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1977--To redistrict State Trial Court System.

**SENATE AMENDMENT NO. 11**

Amend House Bill No. 1977 by deleting the final sentence of Section 6(30) (a) and substituting instead the following:

In 1984, the qualified voters of the Thirtieth Judicial District shall elect an additional judge in accordance with the provisions of Section 5 of this act to serve Part IX of the circuit court of such district. In 1990, the qualified voters of the Thirtieth Judicial District shall elect an additional judge in accordance with the provisions of Section 5 of this act to serve the court and part of court designated pursuant to Section 12 of this act.

**SENATE AMENDMENT NO. 20**

Amend House Bill No. 1977 by deleting subparagraph (b) from Section 6(19) and substituting instead the following:

"(b) The District Attorney General of the Nineteenth Judicial District shall be entitled to four (4) Assistant District Attorney General Positions."

**SENATE AMENDMENT NO. 22**

Amend House Bill No. 1977 by deleting Section 7(c) in its entirety.

AND FURTHER AMEND by adding the following to the end of Section 6(29)(a):

The trial level judge residing in Dyer County shall continue to exercise juvenile jurisdiction in such county.

**SENATE AMENDMENT NO. 23**

Amend House Bill No. 1977 by deleting the following from Section 6 (4) (a):

The provisions of this amendment shall expire in 1990 with implementation of this Act.



**SENATE AMENDMENT NO. 24**

Amend House Bill No. 1977 by deleting the final sentence of Section 6 (19) (a) and substituting instead the following:

Notwithstanding any other provision of this act to the contrary, from September 1, 1984 until September 1, 1986, the circuit judge for the Nineteenth Judicial District shall be authorized to sit by interchange in the Eighteenth Judicial District when requested to do so by the judges of the Eighteenth Judicial District. During such two (2) year period, nothing other than the agreement of the judges involved shall be necessary to effectuate such an interchange.

**SENATE AMENDMENT NO. 28**

Amend House Bill No. 1977 be deleting the final six (6) sentences of Section 6 (29) (a).

**SENATE AMENDMENT NO. 29**

Amend House Bill No. 1977 by deleting subsection (b) of Section 14 in its entirety.

Mr. Murphy moved that the House non-concur in Senate Amendments Nos. 11, 20, 22, 23, 24, 28 and 29, which motion prevailed.

**RULES SUSPENDED**

Mr. Speaker McWherter moved that the rules be suspended for the purpose of placing all congratulatory House Resolutions, House Joint Resolutions, and Senate Joint Resolutions on the Consent Calendar for Tuesday, May 22, 1984, which motion prevailed.

**SECOND ROLL CALL**

A roll call was taken with the following results:

Present . . . . . 92

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

**INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 547--Relative to congratulating Coach Dickie Thomas and Oakland High School boys basketball--By Bragg.

Under the rules, House Joint Resolution No. 547 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 549--Relative to commending Dillard Sholes--By King (Washington), Robinson (Washington) and Whitson.

Under the rules, House Joint Resolution No. 549 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 551--Relative to honoring Joe Worden--By Kelley, Wallace, Chiles and Cobb.

Under the rules, House Joint Resolution No. 551 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 552--Relative to honoring Helen Fulks--By Henry and Duer.

Under the rules, House Joint Resolution No. 552 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 553--Relative to commending William C. Koch--By Henry, McNally, McKinney, Smith, McAfee, Frensey, Owen, Scruggs, Drew and Hudson.

Under the rules, House Joint Resolution No. 553 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 554--Relative to honoring Representative Jimmy Wallace--By Kelley, Naifeh, Tanner and Dills.

Under the rules, House Joint Resolution No. 554 was referred to the Committee on Calendar and Rules.

**SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 2202--To regulate certain municipal elections.

Passed first consideration.

Senate Bill No. 2207--To levy tax, road system, certain counties.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 2298--To authorize tax on hotel occupancy, Henry County.

Passed second consideration and held without reference.

House Bill No. 2299--To amend Charter, Brownsville.

Passed second consideration and held without reference.

House Bill No. 2300--To provide for county executive committee, Madison County.

Passed second consideration and held without reference.

House Bill No. 2301--To regulate mobile homes, Bradley County.

Passed second consideration and held without reference.

House Bill No. 2303--To amend Charter, Gatlinburg.

Passed second consideration and held without reference.

### **REPORT OF STANDING COMMITTEE**

#### **FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1462 (with amendments), 1636, 1638, 1654 (with amendments), 1794 (with amendments), 1795 (with amendments), 1988, 2014, 2032 (with amendments), 2141 and 2177. BRAGG, Chairman.

Under the rules, House Bills Nos. 1462, 1636, 1638, 1654, 1794, 1795, 1988, 2014, 2032, 2141 and 2177 were transmitted to the Committee on Calendar and Rules.

### **REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Tuesday, May 22, 1984: House Bills Nos. 1794, 1795, 2141, 1654, 2032, 1462, 1988, 1636, 1638, 2177, 2014, 1585, 1659, House Joint Resolutions Nos. 277, 433, House Bills Nos. 1384, 846, 566, House Joint Resolutions Nos. 81, 289, 408, Senate Joint Resolution No. 138, House Bills Nos. 1420, 1541, 1542, 777, 2022 and 1728. GILL, Chairman.

### **BY CONSENT**

#### **INTRODUCTION OF RESOLUTIONS**

House Resolution No. 146--Relative to commending Susan Melanie McGregor--By Work, Stallings and Jared.

House Resolution No. 150--Relative to honoring Jeffery K. Garrett--By Miller, Love, Gaia and Anderson.

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House Resolution No. 151--Relative to commending Kathy Gunter--By Ford, Atchley, Hurley, and Moody.

House Joint Resolution No. 556--Relative to congratulating Coach Dean Hayes--By Bragg.

House Joint Resolution No. 557--Relative to congratulating Coach Melvin Daniels--By Bragg.

House Joint Resolution No. 558--Relative to commending Harry Bradley--By Bragg.

House Joint Resolution No. 562--Relative to congratulating Lucy Sweat--By Henry.

House Joint Resolution No. 563--Relative to commending Don Daugherty--By Severance, Scruggs, Percy, King (Washington), and Williams.

House Joint Resolution No. 565--Relative to honoring Representative Elmer W. Disspayne, Sr.--By Ellis, McKinney, Cobb, Covington, Clark (Davidson), Chiles, Love, Pruitt, and Robinson (Davidson).

House Joint Resolution No. 565 was held on the desk.

House Joint Resolution No. 566--Relative to honoring Alex A. Shafer--By Drew, Severance, Owen, Mr. Speaker McWherter, Hudson, Smith, Scruggs, Miller, and Henry

House Resolutions Nos. 146, 150 and 151, and House Joint Resolutions Nos. 556, 557, 558, 562, 563, and 566 were placed on the Consent Calendar for tomorrow.

## **SPONSOR ADDED**

Without objection, the rules were suspended to allow the following member to add his name as sponsor to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 2195--Ussery.

## **NOTICE PURSUANT TO RULE NO. 57**

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Tuesday, May 22, 1984:

House Bill No. 178--King (Shelby)

Senate Bill No. 1462--Crain

**NOTICE PURSUANT TO RULE NO. 57**

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Wednesday, May 23, 1984:

House Bill No. 1849--Scruggs

House Bill No. 2181--Robertson

Senate Bill No. 4--Crain

Senate Bill No. 978--Robinson (Hamilton)

House Joint Resolution No. 197--Yelton

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1637, 2093 and 2297; and House Joint Resolutions Nos. 273, 286, 305, 317, 336, 355, 430, 435, 454, 469, 472, 480, 503, 515, 531, 542, 543, 544, 561 and 564; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

**MR. SPEAKER:** The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Tuesday, May 22, 1984: House Bills Nos. 2298, 2299, 2300, 2301, 2303, House Joint Resolutions Nos. 547, 549, 551, 552, 553, 554, Senate Joint Resolutions Nos. 250, 253, 245, 246, 229, 230, 231, 232, 233, 234, 235, 237, 238, 239, 240, 241, 242 and 243.

GILL, Chairman.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution No.:

560--Relative to congratulating Mr. and Mrs. Nelson Mills;

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concurring in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m.  
tomorrow.